

REMARKS

Careful consideration has been given to the Official Action of September 30, 2004 and reconsideration of the application is requested.

Claims 1-6, 8-20, 22-34, 36-43, 45-51, 53-59, 61-67, and 69-74 are pending in the application.

Claims 43, 45-51, 53-59, and 61-66 are allowed.

Claims 6, 8, 20, 22, 34, and 36 are objected to but would be allowable if written in independent form.

Claims 1-5, 9-19, 23-33, 37-42, and 67-74 are rejected under 35 U.S.C. 103.

Claims 1, 6, 9, 15, 20, 23, 29, 34, and 37 have been amended. No new matter has been added by the amendment.

Claims 1, 15, and 29 are independent and are amended to more clearly define the respective watermark embedding claims to correspond to allowed watermark extraction claims 43, 51, and 59. Applicant respectfully submits that amended independent claims 1, 15, and 29 are now patentable over the cited prior art for the same reasons as for allowed independent claims 43, 51, and 59.

More particularly, it is respectfully submitted that none of the cited prior art documents, either taken alone or in combination, discloses all of the features of amended independent claims 1, 15, and 29. For example, none of the prior art documents discloses at least the feature of embedding a digital watermark in sample data of the digital audio data coded using a synthesiser-architecture format, and embedding a digital watermark in articulation parameters of the digital audio data.

With reference to the examiner's comments under item 8 of the office action, it is respectfully submitted that US 6,093,880 does not disclose inserting a coded bit sequence in articulation parameters as stated by the examiner. Rather, the section referred to by the examiner, column 18, line 27 to 35, discloses that "a filter of the present invention can be coded in any Component Object Model ("COM") supported computer language, such as C++, Java, and Delphi.". Clearly the phrase "coded" used in that section does not at all relate to any watermarking or encoding of a bit sequence, but merely discloses that an algorithm for the filter, as for example provided in column 18, line 5 to 20, may be written in any computer language for implementation on a variety of computer systems, as would be clear to persons skilled in the art. In any event none of the prior art documents disclose at least the above mentioned feature of the amended independent claims 1, 15, and 29.

Furthermore, it is respectfully submitted that none of the prior art documents disclose at least the feature that the digital watermarks embedded in the sample data and articulation parameters of the synthesiser-architecture format digital data respectively are chosen to enable verification of the watermarks by comparing the respective watermarks to determine if the

watermark in the sample data is not available or has been modified.

For the above reasons, it is respectfully submitted that amended independent claims 1, 15, and 29, and their respective dependent claims 2 to 6 and 8 to 14, 16 to 20 and 22 to 28, and 32, 34 and 36 to 42 are patentable over the cited prior art.

Favorable reconsideration and allowance of the claims, as amended, is therefore respectfully requested.

 Respectfully submitted  
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